

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1 and 52-84 are pending in the application, with claims 1, 65 and 79 being the independent claims. New claims 52-84 are sought to be added. These changes are believed to introduce no new matter, and their entry is respectfully requested. Support for the amendment can be found at least in the cancelled claims and throughout the specification, specifically at pages 16-18.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

The Rejection under 35 U.S.C. § 101 Is Traversed

In the Office Action at page 2, the Examiner has rejected claim 1 under 35 U.S.C. 101 as allegedly claiming the same invention of claim 1 of prior U.S. Patent No. 6,291,164. Applicant respectfully traverses this rejection.

Claim 1 has been amended to relate to a method of making at least one nucleic acid molecule comprising combining, in a mixture, at least one nucleic acid template, at least one polymerase or at least one reverse transcriptase, and an enzyme selected from the group consisting of a pentosyltransferase, a phosphotransferase with an alcohol group as acceptor, a nucleotidyltransferase, and a carboxy-lyase; and incubating said mixture

under conditions sufficient to make said nucleic acid molecule complementary to all or a portion of said nucleic acid template.

Claim 1 of the present application is not the same as claim 1 of U.S. Patent No. 6,291,164. Therefore, withdrawal of this rejection is respectfully requested.

Other Matters

Applicant has not received the Examiner-initialed copy of the Forms PTO-1449 submitted with Applicant's IDS filed on February 7, 2002. It is respectfully requested that the Examiner initial and return a copy of the Forms PTO-1449 that was filed in the present matter on February 7, 2002, and indicate in the official file wrapper of this patent application that these documents have been considered.

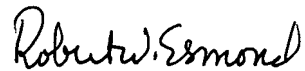
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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Version with markings to show changes made

New claims 52-84 are sought to be added.

Claim 1 has been amended as follows:

1. (Once amended) A method of [inhibiting or preventing
pyrophosphorolysis during synthesis of] making at least one [a] nucleic
acid molecule, said method comprising
 - (a) [combining one or more nucleotides and a nucleic acid template;
and] combining, in a mixture, at least one nucleic acid template, at
least one polymerase or at least one reverse transcriptase, and an
enzyme selected from the group consisting of a
pentosyltransferase, a phosphotransferase with an alcohol group as
acceptor, a nucleotidyltransferase, and a carboxy-lyase; and
 - (b) [incubating the one or more nucleotides and nucleic acid template
together with a polymerase, and an enzyme selected from the
group consisting of a pentosyltransferase, a phosphotransferase
with alcohol group as acceptor, a nucleotidyltransferase, and a
carboxy-lyase, under conditions sufficient to form a second
nucleic acid molecule complementary to all or a portion of the
nucleic acid template] incubating said mixture under conditions
sufficient to make one or more first nucleic acid molecules
complementary to all or a portion of said nucleic acid template.